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DEPT FOR DRL/ILCSR M MITTELHAUSER AND G/TIP FOR S STEINER  
DOL FOR DOL/ILAB/RACHEL RIGBY

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E.O. 12958: N/A  
TAGS: [ELAB PHUM](#) [EAGR EMIN](#) [EIND](#) [ETRD NG](#)  
SUBJECT: NIGER: COMMENTS ON DOL DRAFT LIST FOR TVPRA

REF: A) STATE 43120, B) NIAMEY 00030

¶1. This is Embassy Niamey's response to Ref A requesting comment on the Department of Labor's (DOL) draft list of goods that the Bureau of International Labor Affairs (ILAB) believes are produced with child labor in Niger.

¶2. The list for Niger includes: gold, gypsum, salt, and trona. The Niger list appears to have been generated from an ILO report titled, "Child Labor in Small-Scale Mining: Examples from Niger, Peru & Philippines". The report was based on site visits in Niger and provided details about the involvement of children in various activities at each site, but was last updated in September 2000. There have been significant changes since then, which have been reported regularly in annual reports on "Worst Forms of Child Labor", most recently as Ref B, submitted by Embassy Niamey in January 2009.

¶3. Niger is an extremely poor country, with very little industrial production. Despite resource constraints, the Government of Niger (GON) has enacted a number of new laws to protect children. Children continue to work under abysmal conditions in the artisanal mining operations, but there have been significant efforts, including several DOL-funded projects, to improve conditions in this sector. (For more detailed information on those projects, please see Ref B, section C.) Inauguration of the first commercial gold mine in Niger in 2004 established modern production systems with high-paying jobs for skilled adult workers. To facilitate the transition to commercial mining operations, the GON has issued additional exploration permits, but artisanal mining continues in areas where the deposits are insufficient to support commercial operations.

¶4. It is not possible for us to review conditions or confirm whether children continue to labor in artisanal production of gypsum, salt, and trona. These are very small-scale and localized artisanal operations that sell their production informally on local markets. The original ILO report makes it clear that production was a family effort and, in most cases, these were seasonal activities undertaken to supplement family income. The involvement of children in collecting, processing, and selling gypsum, salt, and trona does not appear to be substantially different from the involvement of children in other subsistence activities in Niger, such as firewood collection, collection and sale of forage, etc. It would be far better for these children to be in school, but there is no evidence that these subsistence activities meet the standard of exploitative child labor.

ALLEN